

## REMARKS

Applicant respectfully requests favorable reconsideration in view of the foregoing amendments and the following remarks. Applicant submitted a Response to Office Action on May 29, 2008. In this Response, the claim status identifiers for several claims were inadvertently omitted. This Supplement Response corrects this error and re-presents the previously made claim amendments and arguments.

By this amendment, claim 1 is amended, claim 7 is canceled, and new claims 20 and 21 are added. One minor grammatical error is corrected in the specification. No new matter was added.

### Rejection under 35 USC §102

Reconsideration of the rejection of claims 1-3 and 5-7 rejected under 35 U.S.C. §102(e) as being anticipated by Brown (U.S. Pat. No. 6,151,586) is respectfully requested in view of the amendment to claim 1, the cancellation of claim 7, and for the following reasons.

Claim 1 has been narrowed to include the following limitations:

“awarding points to a member for each of the general programme areas in which the member participates, the points being allocated to members based on a multi-level system, including:

a first level, wherein the member is awarded points for merely taking part in a programme area,

a second level, wherein the member is awarded a greater number of points for taking part in all programme areas associated

with a disease with which the member is afflicted, and  
a third level, wherein the member is awarded points for  
attaining a minimum level for a measurable of a programme area  
associated with a disease with which the member is afflicted;”

Brown fails to disclose all the steps of amended claim 1, including, in particular, the step having the newly added limitations quoted above.

Furthermore, claims 2-6 depend upon independent claim 1, and because dependent claims recite all the limitations of an independent claim, it is believed, for this additional reason, that dependent claims 2-6 also recite in allowable form.

Therefore, the Applicants believe that the rejection of claims 1-3 and 5-7 has been overcome. Thus, the Examiner should withdraw the rejection of these claims. Allowance of claims 1-3 and 5-6 is requested.

### **Rejection under 35 USC §103**

Reconsideration of the rejection of claims 4, 14 and 15 rejected under 35 U.S.C. §103(a) as being unpatentable over Brown in view of Bro (U.S. Patent 5,722,418) is respectfully requested in view of the amendment to claim 1, and for the following reason. The combination of Brown and Bro fails to disclose all the steps of amended claim 1, including, in particular, the step having the newly added limitations quoted above.

Furthermore, claims 4, 14 and 15 depend upon independent claim 1, and because dependent claims recite all the limitations of an independent claim, it is believed, for this additional reason, that dependent claims 4, 14 and 15 are also in allowable form.

Accordingly, because the Brown and Bro references, alone or in combination, do not teach, anticipate, or suggest the presently claimed invention, the Applicants believe that the rejection of claims 4, 14 and 15 under 35 U.S.C. §103(a) has been overcome. Therefore, the Examiner should withdraw the rejection of these claims.

Reconsideration of the rejection of claim 16, rejected under 35 U.S.C. §103(a) as being unpatentable over Brown in view of Bro, and further in view of Sehr (U.S. Patent 6, 85,976) is respectfully requested in view of the amendment to claim 1, and for the following reason. The combination of Brown, Bro and Sehr fails to disclose all the steps of amended claim 1, including, in particular, the step having the newly added limitations quoted above.

Claims 16 depends upon independent claim 1, and because a dependent claim recites all the limitations of an independent claim, it is believed, for this additional reason, that dependent claim 16 also recites in allowable form.

Accordingly, because the Brown, the Bro and the Sehr references, alone or in combination, do not teach, anticipate, or suggest the presently claimed invention, the Applicants believe that the rejection of claim 16 under 35 U.S.C. §103(a) has been overcome. Therefore, the Examiner should withdraw the rejection of this claim.

### **CONCLUSION**

The foregoing is submitted as full and complete response to the Office Action dated November 30, 2007. It is believed that the application is now in condition for allowance. Allowance of claims 1-6, 14-16 and 20-21 is respectfully requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless the Applicants have argued herein that such amendment

was made to distinguish over a particular reference or combination of references.

Applicants acknowledge the continuing duty of candor and good faith to disclose information known to be material to the examination of this application. In accordance with 37 C.F.R §1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and their attorneys.

The Commissioner is hereby authorized to change any fees that may be required or credit any overpayment to Deposit Account **503410**. In view of the preceding discussion, it is submitted that the claims are in condition for allowance. Reconsideration and re-examination is requested.

**PLEASE CALL** the undersigned if the Examiner believes that there are any informalities that can be corrected by Examiner's amendment, or that in any way it would help expedite the prosecution of the patent application.

Respectfully submitted,

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